

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of, Beka SOLOMON

Art Unit: 1642

Application No.: 09/441,140

Conf. No. 3910

Examiner: S. Ungar

Filed: November 16, 1999

Washington, D.C.

For: PREVENTION OF PROTEIN AGGREGATION

Atty.'s Docket: SOLOMON=14

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Transmitted herewith is a [X] Amendment [X 1st Declaration by Beka Solomon with 7 attached articles, 2nd Declaration by Beka Solomon, 6 additional articles, and Original Letters Patent of USP 5,688,651]

in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.
 [] No additional fee is required.
 [XX] The fee has been calculated as shown below:



MR 01 2004

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) MINUS	(Col. 3) HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 29	MINUS	** 99	0
INDEP.	* 5	MINUS	*** 26	0

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

ADDITIONAL FEE TOTAL \$

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x 9	\$		x 18	\$
x 43	\$		x 86	\$
+ 145	\$		+ 290	\$ 290
		ADDITIONAL FEE TOTAL		\$ 290

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below.

Small Entity

Response Filed Within

[] First - \$ 55.00
 [] Second - \$ 210.00
 [] Third - \$ 475.00
 [] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00
 [] Second - \$ 420.00
 [] Third - \$ 950.00
 [] Fourth - \$ 1480.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

[] Please charge my Deposit Account No. 02-4035 in the amount of \$_____.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 290.00.

[] A check in the amount of \$_____ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P. L. L. C.

Attorneys for Applicant(s)

By: *Roger C. Browdy*
 Roger L. Browdy
 Registration No. 25,618



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SOLOMON=1R

In re Application of:) Conf. No.: 3910
Beka SOLOMON)
Appln. No.: 09/441,140) Art Unit: 1647
Filed: November 16, 1999) Examiner: C. Nichols
For: PREVENTION OF PROTEIN) Washington, D.C.
AGGREGATION) February 23, 2004

AMENDMENT

Mar 01 2004
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment Non-Fee
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Official action of August 22, 2003, please amend as follows:

IN THE SPECIFICATION

Please amend the paragraph beginning at column 7, line 1, as follows:

In the present invention, the expression vector for use as a therapeutic agent comprises a nucleic acid including at least one sequence which encodes in expressible form an anti-aggregation molecule, which molecule binds to an aggregating protein that is the cause of a disease and which prevents aggregation but does not interfere with bioactivity. In a preferred embodiment the expression vector includes the sequence for a human monoclonal antibody that is an anti- β -